

Summary

Prohibited means and methods of armed conflicts

The goal of this diploma thesis is to analyse more frequent use of Unmanned Air Vehicles (UAV) in armed conflicts under the international humanitarian law. Although the idea to use UAV is not new, there has been a boom of their deployment in last two decades. Technological progress, the transformation of the nature of armed conflicts and the idea of the war on terror are the main reasons why UAVs have become an indispensable tool in war equipment of all the main world's armies. But just like every new technology, also UAVs raise questions about their legality. Therefore, this work aims to assess whether UAVs may represent prohibited mean of warfare or whether their usage is not in contrary to international humanitarian law. The main text of this diploma thesis consists of five main thematic blocks.

The first chapter represents an excursion into the history and development of international humanitarian law. It outlines its division into two branches, the Geneva and Hague law. In addition the first part also defines its position within public international law and its interaction with international law of human rights.

The second part consists of definitions of basic terms which the norms of international humanitarian law operate with. The first of them is an armed conflict and its division into two categories: international and internal armed conflict. Together with the main characteristics of both types of conflict there are identified legal sources applicable in those conflicts. Another terms are pair categories of civilian vs. combatant and civilian vs. military object. At the end of this chapter is mentioned the concept of targeted killing, which has become common practice especially of the CIA.

The third chapter is dedicated to the basic principles governing warfare. The main part of this chapter is devoted to different interpretations of individual principles and their interdependency. It goes without saying that this chapter includes the identification of their customary nature and normative expression in particular treaties of international humanitarian law.

The penultimate chapter reflects the classical division of the law of war on prohibited methods and means of warfare. Methods of warfare are mostly related to the correct identification of targets and to the way the weapon is used. On the other hand, means of

warfare are typically banned for its essence under particular conventions, regardless of the method of use.

And finally, the fifth part describes the concept of UAVs, their analysis as means of combat, as well as with the way UAVs are used in armed conflicts. All this part consists of a concrete example of a drone deployment and its subsequent legal assessment from the perspective of governing principles and rules of international humanitarian law. This chapter also includes considerations of ethical and sociological questions that drones evoke.

The final section comprehensively summarizes the analysis. The author states that UAVs themselves are not prohibited means of warfare, although they are and may be used in a manner which would have constituted a breach of law of armed conflicts. The author also expresses hope that further technical progress will lead to minimize the suffering of the innocent victims of wars.